UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK	X	
DINO PALADINO,	:	
Plaintiff,	:	07 Civ. 1579 (DRH) (ARL)
- against -	:	NOTICE OF MOTION
DHL EXPRESS (USA), INC. AND	:	NOTICE OF MOTION
INTERNATIONAL BROTHERHOOD OF	:	
TEAMSTERS AIR FREIGHT CHAUFFEURS,	:	ODAL ADGUMENT DEGUNGTED
HANDLERS, WAREHOUSEMEN & ALLIED WORKERS UNION NO. 295,	:	ORAL ARGUMENT REQUESTED
WORKERS UNION NO. 293,	•	
Defendants.	:	
	v	

PLEASE TAKE NOTICE that upon the attached Memorandum of Law, the Affirmation of Andrew S. Goodstadt dated February 20, 2009, Defendant DHL Express (USA), Inc.'s Statement of Undisputed Material Facts dated February 20, 2009, the Affidavit of Jeffrey Sidorski in Support of Summary Judgment, the Affidavit of John Nuttall in Support of Summary Judgment, and all of the pleadings and proceedings heretofore had herein, Defendant DHL Express (USA), Inc. ("DHL") will move this Court before the Honorable Judge Denis R. Hurley, at the United States District Court, Eastern District of New York, 100 Federal Plaza, Central Islip, NY 11722, at a time and date set by the Court, for an order pursuant to Fed. R. Civ. P. 56 granting DHL's motion for summary judgment dismissing the Complaint in its entirety and for such further relief as the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that pursuant to Judge Hurley's Order of February 5, 2009, answering affidavits and any other papers in opposition to the above motion, if any, are required to be served upon the undersigned counsel on or before March 20, 2009, and DHL's reply papers, if any, are required to be filed and served on or before April 3, 2009.

Dated: New York, New York February 20, 2009

Respectfully submitted,

THOMPSON WIGDOR & GILLY LLP

By:
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Cindy E. Uh

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Counsel for Defendant DHL Express (USA), Inc.

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Counsel for Plaintiff Dino Paladino

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Counsel for Defendant International Brotherhood of Teamsters Air Freight Chauffeurs, Handlers, Warehousemen & Allied Workers Union No. 295

CERTIFICATE OF SERVICE

I hereby certify that a true and copy of the foregoing Notice of Motion, dated February 20, 2009, was served via overnight delivery, this 20th day of February 2009, upon the following counsels:

To: Kosta K. Kollef, Esq.
Law Office of Michael G. O'Neill
30 Vesey Street, 3rd Floor
New York, New York 10007

Counsel for Plaintiff Dino Paladino

Joshua S.C. Parkhurst, Esq. Cary Kane LLP 1350 Broadway, Suite 815 New York, New York 10018

Counsel for Defendant International Brotherhood of Teamsters Air Freight Chauffeurs, Handlers, Warehousemen & Allied Workers Union No. 295

Cindy E. Uh

Dated: New York, New York February 20, 2009